

FISCAL NOTE

HB 2490 - SB 2560

February 27, 2002

SUMMARY OF BILL:

- Establishes a new mechanism for independent medical examinations for use when the impairment rating given by the treating physician is disputed.
- Requires parties to provide written notification to the Division of Workers' Compensation in the event that they cannot agree on the choice for an independent medical examiner.
- Requires the Department of Labor and Workforce Development to assign a panel of three independent medical examiners chosen at random from a list of examiners maintained by the Division of Workers' Compensation.
- Allows each party to strike one name from the panel.
- Provides that the finding of the examiner shall be binding on the parties and overcome only with clear and convincing evidence.
- All costs and fees for an independent medical examiner shall be born by the party disputing the attending physician's opinion.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$48,450 Recurring
\$5,000 One-time**

Increase Local Govt. Expenditures - Not Significant

Estimate assumes:

- an increase in expenditures in the Department of Labor and Workforce Development for 1 position and related expenses to administer the provisions contained in the bill
- a not significant increase in state and local government expenditures to the extent that either has to bear the cost of the independent medical examiner.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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